

AMENDED IN ASSEMBLY APRIL 16, 1998
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CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 1653

Introduced by Assembly Member Figueroa
(Principal coauthor: Assembly Member Alquist)
(Coauthors: Assembly Members Escutia, Havice, Honda,
Keeley, Martinez, Murray, Perata, Strom-Martin,
Washington, and Wildman)
(Coauthors: Senators Costa, Peace, Solis, and Watson)

January 8, 1998

An act to add Chapter 8.6 (commencing with Section 52270) to Part 28 of the Education Code, relating to education.

LEGISLATIVE COUNSEL'S DIGEST

AB 1653, as amended, Figueroa. Education technology grant program.

Existing law, the Digital High School Education Technology Grant Program of 1997, provides one-time installation grants and ongoing technology support and staff training grants to high schools and county offices of education that operate high schools. Under existing law, matching resources are required to be provided at high schools receiving grants. Existing law requires staff training to include training for the use of computers, networks, software, and other equipment integration of technology into the

curriculum, and methods to instruct pupils in the use of computers, networks, software, and other equipment.

This bill would establish the Education Technology Grant Program for Kindergarten and Grades 1 to 8, and would require education technology grants to be provided to public schools maintaining kindergarten or any of grades 1 to 8, inclusive. The bill would require the Superintendent of Public Instruction to administer the grant application process.

The bill would require the Education Council for Technology in Learning to develop and submit to the State Board of Education project and application criteria and other program criteria, and to review grant applications and recommend to the State Department of Education whether to fund an application.

The bill would provide that funding for grants would be contingent upon an appropriation made in the annual Budget Act or an appropriation contained in another measure and would require a school to provide a local match of not less than the grant amount in order to receive a grant.

The bill would require the Superintendent of Public Instruction to report annually to the Governor and the Legislature on the results of the grant program.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of
2 the following:

3 (a) Computer knowledge and skills are essential for
4 success in school and in many careers, as well as for the
5 continued economic prosperity of California.

6 (b) Pupils need to be computer literate to successfully
7 compete with pupils from other states and nations.

8 (c) Traditional learning is enhanced by computer
9 technology.

10 (d) It is necessary to increase the number of
11 computers available in classrooms and provide the wiring
12 that will allow classrooms to accommodate those



1 computers to enable pupils to more effectively compete
2 with pupils from other states and nations.

3 SEC. 2. Chapter 8.6 (commencing with Section
4 52270) is added to Part 28 of the Education Code, to read:

5
6 CHAPTER 8.6. EDUCATION TECHNOLOGY GRANT PROGRAM
7 FOR KINDERGARTEN AND GRADES 1 TO 8
8

9 52270. (a) The Education Technology Grant
10 Program for Kindergarten and Grades 1 to 8 is hereby
11 established and shall provide one-time installation grants
12 and ongoing technology support and staff training grants
13 to school districts and county offices of education for
14 projects at public schools that maintain kindergarten and
15 any of grades 1 to 8, inclusive. ~~Grants may be used for~~
16 ~~computers, installation expenses, wiring, technology~~
17 ~~support, and staff training.~~

18 (b) (1) To receive a grant, a school district or county
19 office of education of a school participating in the
20 program shall provide a local match that is not less than
21 the amount of the grant. A school district or county office
22 of education may fulfill the local match requirement by
23 providing educational technology infrastructure,
24 including, but not necessarily limited to, wiring, cabling,
25 routers, servers, and other equipment specifically
26 acquired and necessary to accommodate educational
27 technology, hardware, and software that meet either of
28 the following conditions:

29 (A) The resource is acquired as a donation or
30 purchased with funds from any source, except funds
31 provided pursuant to this chapter by the school district or
32 the county office of education during the installation
33 phase to implement the plan developed pursuant to
34 ~~subdivision (c) of Section 52271.~~ Donated resources shall
35 be valued at current market value and shall not be
36 counted unless the resources have an expected useful life
37 of not less than five years in the plan. The value of
38 purchased resources may include any finance charges.

39 (B) The resource was owned by the school district or
40 the county office of education before development of the

1 plan pursuant to subdivision (c) of Section 52271, is
2 included in that plan, and is installed in the school before
3 or during the installation phase. The resource shall be
4 valued at current market value and shall have an
5 expected useful life of not less than five years in the plan.

6 (2) For purposes of an installation grant, the local
7 match may include consultant fees and other contract
8 personnel expenses that are incurred during the
9 installation phase, if these expenses are incurred to
10 implement plans for staff training and curriculum
11 development during the installation phase. Consultant
12 fees and other contract personnel expenses may not
13 include the salaries of teachers, administrative personnel,
14 or classified personnel employed at the school.

15 (3) For purposes of an ongoing technology support
16 and staff training grant, the local match may include costs
17 incurred by a school district or a county office of
18 education to maintain and upgrade systems, to support
19 pupil and faculty users, and to provide ongoing staff
20 training at the schoolsite. These resources may include
21 the salary of a technology coordinator.

22 ~~52271. (a) The Superintendent of Public Instruction~~
23 ~~shall administer the grant application process.~~

24 ~~(b) An application for a grant under this chapter shall~~
25 ~~include a plan for the utilization of grant funds and~~
26 ~~certification that the local match requirement provided~~
27 ~~for by subdivision (a) of Section 52270 will be met.~~

28 ~~(c) The Superintendent of Public Instruction shall~~
29 ~~identify from the applicants every school that has~~
30 ~~submitted an application that meets the requirements of~~
31 ~~subdivision (b) and, for purposes of equitable allocation~~
32 ~~of the grants, shall divide those schools into three~~
33 ~~categories based on their average daily attendance. From~~
34 ~~within each of the three categories, the superintendent~~
35 ~~shall select schools for funding eligibility by random~~
36 ~~drawing, one by one, until all funds available for~~
37 ~~allocation are allocated, except that 5 percent of the funds~~
38 ~~shall be held in reserve until the October enrollments~~
39 ~~have been certified.~~

1 52271. In a fiscal year in which funds are appropriated
2 for technology installation grants for the Education
3 Technology Grant Program for Kindergarten and Grades
4 1 to 8, the Superintendent of Public Instruction shall
5 administer the application process for the award of grants
6 as follows:

7 (a) Three groups shall be created for the purposes of
8 establishing funding categories and for the equitable
9 allocation of the grants. These categories shall be based on
10 the average daily attendance of each school.

11 (b) The Superintendent of Public Instruction shall
12 divide the funds appropriated for technology installation
13 grants in a fiscal year among the three groups on the basis
14 of equal dollars per pupil in enrollment in kindergarten
15 and grades 1 to 8, inclusive, in October of the prior fiscal
16 year.

17 (c) School districts and county offices of education
18 shall submit eligibility applications for schools seeking an
19 installation grant to the Superintendent of Public
20 Instruction to determine initial eligibility. A school shall
21 be granted initial eligibility by the Superintendent of
22 Public Instruction if, in its application, the governing
23 board of the school district or county office of education
24 certifies its commitment to meeting program
25 requirements, including the local match requirements
26 related to a technology installation grant for the school.
27 This is the only criterion that shall be applied to
28 determine initial eligibility.

29 (d) (1) Each school district or county office of
30 education may submit to the Superintendent of Public
31 Instruction, not later than 45 days after the annual Budget
32 Act has been enacted, a list of schools under its
33 jurisdiction that have met the initial eligibility
34 requirement and an estimate of each listed school's
35 October enrollment for the current year. Schools shall be
36 listed in order of priority for funding. Any locally
37 determined method of prioritizing schools, including a
38 random draw, may be used.

39 (2) The Superintendent of Public Instruction shall
40 identify from the applicants all schools in each group that

1 *meet the initial eligibility requirement. A school district*
2 *or county office of education may appeal to the State*
3 *Board of Education, on behalf of a school, a disapproval*
4 *of initial eligibility.*

5 *(e) Within each of the three groups and from all school*
6 *districts and county offices of education that have schools*
7 *that have been granted initial eligibility, the*
8 *Superintendent of Public Instruction shall select school*
9 *districts or county offices of education for funding*
10 *eligibility by random drawing, one by one, until all funds*
11 *available for allocation within the groups are allocated,*
12 *except that 5 percent of the funds shall be held in reserve*
13 *and not allocated until the October enrollments have*
14 *been certified. In making the random selection within*
15 *groups, school districts and county offices of education*
16 *shall be weighted according to the number of schools on*
17 *their priority lists of initial eligibility. Funds shall be*
18 *allocated to a school based on current year enrollment.*

19 52272. (a) The amount of a technology installation
20 grant shall be equal to three hundred dollars (\$300) per
21 pupil in enrollment in kindergarten and grades 1 to 8,
22 inclusive, as determined in the October census in the
23 fiscal year of the first year of the technology installation
24 grant or a fixed minimum grant, as established by the
25 State Board of Education, for small schools.

26 (b) Commencing in the second fiscal year following a
27 year in which the school receives a technology installation
28 grant, and upon certification of completion of the
29 installation project, the Superintendent of Public
30 Instruction shall allocate to each school an annual
31 technology support and staff training grant. The
32 maximum amount of this grant shall be equal to forty-five
33 dollars (\$45) per pupil enrolled as of the October census
34 in each fiscal year.

35 (c) Funding for purposes of this chapter is contingent
36 upon an appropriation made in the annual Budget Act or
37 an appropriation contained in another measure.

38 52273. (a) Within 90 days of the effective date of the
39 act that enacts this chapter, the Education Council for
40 Technology in Learning, established pursuant to Section

1 51872, shall develop and submit to the State Board of
2 Education project and application criteria and any other
3 necessary program criteria, including the following:

4 (1) Criteria to establish fixed minimum grant levels for
5 small schools.

6 (2) Criteria regarding the local match requirement
7 described in subdivision (b) of Section 52270, including
8 provisions for waiver or modification of the match
9 requirements in special circumstances.

10 (3) Minimum qualifications for installation grant
11 funding described in Section 52270.

12 (b) In developing criteria pursuant to subdivision (a),
13 the Education Council for Technology in Learning shall
14 seek input from the State Department of Education, the
15 Governor's Office of Child Development and Education,
16 the Department of Information Technology, statewide
17 organizations of computer-using educators, institutions of
18 postsecondary education, and the educational technology
19 industry. All criteria, requirements, and qualifications
20 developed pursuant to this section shall be subject to
21 approval by the State Board of Education. The Education
22 Council for Technology in Learning may annually review
23 and revise these criteria, as necessary, and resubmit them
24 to the State Board of Education.

25 (c) All criteria and requirements in Section 52275 shall
26 be neutral with regard to computer manufacturer and
27 technology platform. No project application submitted
28 pursuant to this chapter shall be evaluated or selected
29 based on the applicant's selection of technology
30 manufacturer, supplier, vendor, or platform. It is the
31 intent of the Legislature to promote the broadest possible
32 discretion at the individual school level in the choice of
33 education technology.

34 (d) A school shall receive only one installation grant
35 pursuant to this chapter. An alternative school or
36 alternative program for pupils in kindergarten and
37 grades 1 to 8, inclusive, including, but not necessarily
38 limited to, an opportunity school, community day school,
39 or special education program, that is located on the same
40 property as, on a site adjacent to, or across the street from,

1 an elementary or middle school, shall be included, for
2 application and funding purposes, within the elementary
3 or middle school.

4 (e) Regional consortia established for the purposes of
5 Article 15 (commencing with Section 51870) of Chapter
6 5 of Part 28 shall provide support and assistance to schools
7 applying for or implementing grants allocated pursuant
8 to this chapter upon the request of a school district or
9 county office of education having jurisdiction over the
10 school. Up to 1 percent of the total amount of funds
11 appropriated for purposes of this chapter may, upon
12 approval of the Department of Finance, be allocated to
13 regional consortia for support and assistance rendered to
14 schools pursuant to this section.

15 52274. (a) (1) Each school selected to be eligible for
16 funding shall develop a project application as required
17 pursuant to Section 52275 and in accordance with criteria
18 developed pursuant to Section 52273. The school shall
19 submit its application to the Education Council for
20 Technology in Learning. The application shall include a
21 certification by the governing board of the school district
22 or county office of education that a majority of the
23 certificated staff of the school support participation in the
24 program established by this chapter.

25 (2) Upon the request of a school district or county
26 office of education, an existing technology regional
27 consortia or the State Department of Education, or both,
28 shall provide technical assistance to the school district or
29 county office of education in the development of its initial
30 eligibility and project applications. A regional consortia
31 shall review and comment on every application
32 submitted by a school in its region within 30 days of the
33 date the application is submitted. A school district or
34 county office of education may incorporate changes
35 based on the comments of a regional consortia into its
36 application prior to submission of the application to the
37 Education Council for Technology in Learning.

38 (b) (1) Within 30 days of receiving an application
39 from a school, the Education Council for Technology in
40 Learning shall recommend to the State Board of

1 Education whether to fund the application. If the council
2 does not submit a recommendation to the board within
3 30 days, the school may submit its application directly to
4 the board. If the council makes a recommendation that
5 the application should not be funded, the council shall
6 include the reasons in writing along with its
7 recommendation.

8 (2) Within 30 days of receiving a recommendation
9 from the Education Council for Technology in Learning,
10 or at its next regularly scheduled meeting after those 30
11 days, the State Board of Education shall make the final
12 determination whether an application submitted
13 pursuant to subdivision (a) substantially meets the
14 requirements of Section 52275 and the criteria developed
15 pursuant to Section 52273 and whether it shall be funded.

16 (3) The State Board of Education shall provide an
17 applicant whose application has not been recommended
18 for funding an opportunity to address any reasons given
19 by the Education Council for Technology in Learning for
20 that negative recommendation.

21 (c) If the amount of funds appropriated for installation
22 grants is insufficient to fully fund the last school chosen in
23 a group for which any funds are available, that unfunded
24 portion shall be funded first when any additional funds
25 become available for installation grants.

26 52275. Every project application shall include, in
27 addition to criteria established pursuant to Section 52273,
28 at a minimum, the following:

29 (a) A description of the computer knowledge and
30 skills that will be taught to all pupils in the school.

31 (b) A description of how the school will ensure access
32 to education technology for all disabled pupils, including
33 the visually impaired and the blind.

34 (c) An explanation of how the school will make
35 technology integral to curriculum, instruction, and
36 assessment, and will assist teachers in individualizing the
37 learning process.

38 (d) A description of the academic content and skills
39 that will be taught using electronic technology.

1 (e) An explanation of how the project will integrate
2 existing hardware and software in the school with new
3 hardware and software purchased through the project.

4 (f) A list of the hardware and software specifications
5 and the infrastructure needs of the campus.

6 (g) A description of the role of private businesses,
7 postsecondary education institutions, parents, the
8 community, and other interested parties in developing
9 and supporting the plan.

10 (h) An explanation of how the school will work
11 collaboratively with the private sector and institutions of
12 higher education to design, develop, and distribute
13 interactive multimedia instructional materials over local-
14 and wide-area networks, including the Internet.

15 (i) Objectives and plans for staff training and
16 curriculum development during the installation phase
17 and for ongoing staff training.

18 (j) Plans for ongoing system support and
19 development.

20 (k) A comprehensive project plan, including an
21 explanation of how the project will assure linkages to
22 higher education segments, assurances that the
23 electronic equipment will be compatible with state-level
24 standards, and a project budget containing one-time and
25 recurring costs and matching resources.

26 (l) A plan for evaluating the effectiveness of the
27 project in meeting the goals related to computer
28 knowledge and skills and academic achievement.

29 *52276. The Superintendent of Public Instruction shall*
30 *report annually to the Governor and the Legislature on*
31 *the results of the Education Technology Grant Program*
32 *For Kindergarten and Grades 1 to 8. To prepare this*
33 *report, the State Department of Education shall include*
34 *among its activities the following:*

35 (a) *Coordination of the local evaluations required*
36 *pursuant to subdivision (l) of Section 52275, so that the*
37 *data may be aggregated.*

38 (b) *Formative and summative evaluations, as*
39 *appropriate.*

- 1 (c) *Analysis of individual project and aggregate*
- 2 *outcomes related to pupil computer skills and knowledge*
- 3 *and academic achievement.*

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